

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

NAUTILUS INSURANCE
COMPANY,

Plaintiff,

vs.

EMPLOYERS MUTUAL
CASUALTY COMPANY;
SENTINEL INSURANCE
COMPANY LIMITED; THOSE
CERTAIN UNDERWRITERS OF
LLOYD'S OF LONDON
SUBSCRIBING TO VARIOUS
POLICY NUMBERS;¹ AND, THE
TRAVELERS INDEMNITY
COMPANY OF AMERICA,

Defendants.

No. CV 19-24-BU-SEH

ORDER

Nautilus Insurance Company ("Nautilus"), Employers Mutual Casualty Company ("EMC"), and The Travelers Indemnity Company of America ("Travelers") have filed a Joint Notice of Settlement² stating that all claims of EMC and Nautilus against Travelers are resolved "and the parties will submit a stipulation for dismissal of those claims within 30 days."³

¹ Policy Numbers N04NZ00790, N05NZ16950, N06NZ16880, and N07NZ18290.

² Doc. 64.

³ Doc. 64 at 2.

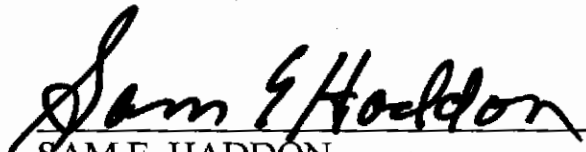
Fed. R. Civ. P. 41(a)(2) authorizes a court to dismiss an action, upon Plaintiff's request, "on terms that the court considers proper." This Court, however, requires that a request for dismissal under Rule 41(a)(2) contains a statement by Plaintiff's counsel that all parties have been contacted, and that none oppose the dismissal request.

The Joint Notice of Settlement⁴ submitted by Nautilus, EMC, and Travelers does not state whether Defendants Sentinel Insurance Company Limited and Those Certain Underwriters of Lloyd's of London Subscribing to Various Policy Numbers object to the dismissal of claims against Travelers.

ORDERED:

Nautilus, EMC, and Travelers may resubmit the Joint Notice of Settlement⁵ in proper form.

DATED this 9th day of July, 2020.


SAM E. HADDON
United States District Judge

⁴ Doc. 64.

⁵ Doc. 64.